

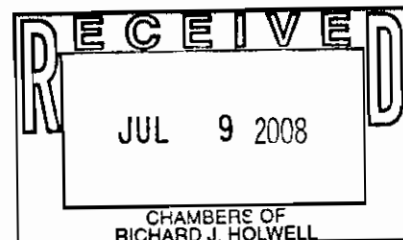


U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 9, 2008

By Facsimile

The Honorable Richard J. Holwell
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1950
New York, New York 10007-1312

Re: United States v. Keith Fuse, et al.
07 Cr. 1211 (RJH)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/14/08

Dear Judge Holwell:

The Government respectfully submits this letter to update the Court regarding the status of the above-referenced case.

Earlier today, your Honor's deputy scheduled a conference for July 17, 2008, at 2:30 p.m.

As the Court will recall from the Government's prior correspondence, on two occasions the defendant was expected to plead guilty, but did not, and he is now represented by new counsel, Martin Cohen, Esq.

Based on my recent conversation with Mr. Cohen, I am aware that the defendant is still considering whether to plead guilty.

In order for the defendant to have adequate time to consider the proposed plea agreement, the Government requests that the Court exclude time between today and July 17, 2008, pursuant to 18 U.S.C. § 3161(h)(8)(A). The Government submits, based on the foregoing, that the ends of justice served by the granting of the requested exclusion outweigh the best interests of the public and the defendant in a speedy trial.

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Based on my discussions with Mr. Cohen, I can represent that the defendant
consents to the exclusion requested by the Government.

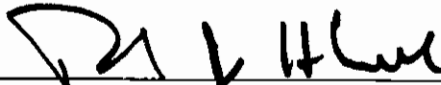
Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: 

Daniel W. Levy
Assistant United States Attorney
Telephone: (212) 637-1062

SO ORDERED:



The Honorable Richard J. Holwell
United States District Judge 7/9/08

cc: Martin Cohen, Esq. (by facsimile)